UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,837	11/14/2000	Yoshiko Miyamoto	1341.1071 (JDH:MJH)	5630

			EXAMINER
21171	7590	12/01/2004	DUONG, THOMAS

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 June 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-7_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the amendment filed on June 25, 2004. The

amendment filed on June 25, 2004 has been entered and made of record. *Claims 1-7*

are presented for further consideration and examination.

Response to Argument

2.   The Examiner appreciate the Applicants' correct interpretation of the previous Office

Action regarding the 35 U.S.C. §102(e) rejection. It is the Examiner's intention to reject

claims 1-6 under 35 U.S.C. §102(e) as being anticipated by Glass (US006629128B1)

even though the heading only states *claims 1-5*. The Examiner has corrected this

mistake below.

3.   The Applicants' arguments and amendments filed on June 25, 2004 have been fully

considered, but they are not persuasive.

4.   With regard to <u>*claims 1 and 5-6*</u>, the Applicants point out that:

- *In contrast, in Glass, the object reference for referring server objects is*

  generated, but Glass fails to disclose that the object reference for a naming

  service is dynamically generated. Namely, in Glass, a server-side local reference

  generator generates a local reference object that includes an address of the

  server object and a type of the server (col. 4, lines 29-31).

However, the Examiner finds that the Applicants' arguments are not persuasive and

maintains that the Glass reference does disclose,

- *a generating unit which generates the object reference by dynamically setting*

  address information contained in the object reference in accordance with

  connection information at a time of the request. (Glass, col.3, lines 46-51; col.4,

  lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-

  61; col.10, lines 48-59; fig.3-4)

Glass anticipates an embodiment of the invention where the server *"also dynamically*

generates remote proxies and other objects to provide communications across the

network" (col.4, lines 43-46). Furthermore, Glass states that *"the remote proxy*

generator resides in the server-side object request broker and instantiates the

remote proxy class to create a remote proxy object" (col.4, lines 8-10) and that *"a*

system constructed using the principles outlined in this patent application

dynamically generates remote proxy classes as needed at run-time" (col.6, lines 51-

54). Therefore, the Applicants still failed to clearly disclose the novelty of the

invention and identify specific limitation, which would define patentable distinction

over prior art.

5.   With regard to *claims 2-4 and 7*, they are rejected at least by virtual of their dependency

on the independent claims and by other reasons set forth in the previous office action.

Accordingly, rejections for *claims 2-4 and 7* are presented as below:

Claim Rejections - 35 USC § 102

6.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

7.   _Claims 1-7_ are rejected under 35 U.S.C. 102(e) as being anticipated by Glass et al.

(US006629128B1).

8.   With regard to _claims 1, 5 and 6_, Glass reference discloses,

- *a request receiving unit which receives a request from a client connected via a*

  network to acquire an object reference for receiving a distribution of a naming

  service in CORBA; and (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3,

  line 13)

- *a generating unit which generates the object reference by dynamically setting*

  address information contained in the object reference in accordance with

  connection information at a time of the request. (Glass, col.3, lines 46-51; col.4,

  lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-

  61; col.10, lines 48-59; fig.3-4)

Glass anticipates an embodiment of the invention where the server *"also dynamically*

generates remote proxies and other objects to provide communications across the

network" (col.4, lines 43-46). Furthermore, Glass states that *"the remote proxy*

generator resides in the server-side object request broker and instantiates the

remote proxy class to create a remote proxy object" (col.4, lines 8-10) and that *"a*

system constructed using the principles outlined in this patent application

dynamically generates remote proxy classes as needed at run-time" (col.6, lines 51-

54). Therefore, the Applicants still failed to clearly disclose the novelty of the

invention and identify specific limitation, which would define patentable distinction

over prior art.

9.   With regard to _claims 2-4_, Glass reference discloses the invention substantially as

claimed,

See _claim 1_ rejection as detailed above.

Furthermore, Glass reference discloses,

- _wherein said generating unit generates the object reference by setting at least_

  the arrival address information contained in the connection information as the

  address information. (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line

  35; col.4, lines 29-38; fig.1-4)

- _said object reference generating device comprising a system structure_

  information control unit which controls system structure information showing a

  structure of a system in which an object reference is applied, wherein said

  generating unit generates the object reference by dynamically setting address

  information conforming to the structure of the system based on the system

  structure information. (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3,

  line 35; col.4, lines 29-38; fig.1-4)

10.   With regard to _claim 7_, Glass reference discloses,

- _a request receiving unit which receives a request from a client connected via a_

  network to acquire an object reference for receiving a distribution of a naming

  service in CORBA; and (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3,

  line 13)

- *a generating unit which generates the object reference by dynamically setting*

  address information contained in the object reference in accordance with

  connection information at a time of the request. (Glass, col.3, lines 46-51; col.4,

  lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-

  61; col.10, lines 48-59; fig.3-4)

Glass anticipates an embodiment of the invention where the server *"also dynamically*

generates remote proxies and other objects to provide communications across the

network" (col.4, lines 43-46). Furthermore, Glass states that *"the remote proxy*

generator resides in the server-side object request broker and instantiates the

remote proxy class to create a remote proxy object" (col.4, lines 8-10) and that *"a*

system constructed using the principles outlined in this patent application

dynamically generates remote proxy classes as needed at run-time" (col.6, lines 51-

54). Therefore, the Applicants still failed to clearly disclose the novelty of the

invention and identify specific limitation, which would define patentable distinction

over prior art.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is

set to expire THREE MONTHS from the mailing date of this action. In the event a first

reply is filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated

from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A Wiley can be reached on 571/272-3923. The fax phone numbers for

the organization where this application or proceeding is assigned are 703/872-9306 for

regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703/305-3900.

Thomas Duong (AU2143)

November 23, 2004

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER